BEFORE THE M.P. STATE ADMINISTRATIVE TRIBUNAL BENCH RAIPUR

CO Rs) 4685/-

O.A. NO._____/2002

APPLICANT : Ishwar Lal Kunjam
Asstt. Teacher
Primary School
Bakarkahar
Distt. Kawardha

VERSUS

NON-APPLICANT :

1. State of Chhattisgarh
through the Secretary
Department of School Education
D.K.S. Bhavan
Raipur (C.G.)

2. The Commissioner
School Education
Govt. of Chhattisgarh
D.K.S. Bhavan, Raipur (C.G.)

3. District Education Officer
Distt. Kawardha

ORIGINAL APPLICATION UNDER SECTION 19 OF THE M.P. STATE ADMINISTRATIVE TRIBUNAL ACT, 1985

1. Particulars of the Applicant :

As detailed above in the cause title.

2. Particulars of the respondents :

As detailed above in the cause title.

3. Particulars of order against which original application is being made :

i) The instant petition is not against any particular order of the non-applicants, but against the arbitarary and discriminatory action of the non-applicants while extending benifits of B.Ed. increments to the School Teachers including the applicant abovenamed. The non-applicants have granted B.Ed. increment to other School Teachers but they have declined to grant the same relief to the applicant simply

(19)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.322 OF 2007

Petitioner : Raj Kapoor Kesharwani

versus

Respondents : State of Chhattisgarh and another

WRIT PETITION (S.) NO.335 OF 2007

Petitioner : Devi Singh Dhruv

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.342 OF 2007

Petitioner : Sanat Kumar Chandrakar

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.343 OF 2007

Petitioners : Smt. Ganga Gilahre and others

Versus

Respondents : State of C.G. and others

(20)

WRIT PETITION (S.) NO.346 OF 2007

Petitioners : Gokul Ram Sahu and another

versus

Respondents : State Govt. of Chhattisgarh and others

WRIT PETITION (S.) NO.352 OF 2007

Petitioner : Smt. M.B. Banjare

versus

Respondents : State Government of Chhattisgarh and others

WRIT PETITION (S.) NO.353 OF 2007

Petitioner : Yad Ram Banjare

versus

Respondents : State Government of Chhattisgarh and others

WRIT PETITION (S.) NO.3312 OF 2005

Petitioner : Nagendra Kumar Acharya

versus

Respondents : State of Madhya Pradesh (now Chhattisgarh) and others

(21)

WRIT PETITION (S.) NO.4685 OF 2005

Petitioner : Ishwar Lal Kunjam

Versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.5075 OF 2005

Petitioner : Heeraman Singh Kashyap

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Deepak Jain, Mr. Vivek Verma, Mrs. Hamida Siddique, Mr. Mahfooj Alam, Mr. Rakesh Anthony, Mr. Somkant Verma and Mr. Maneesh Sharma, counsel for the petitioner(s).

Mr. Sushil Dubey, Government Advocate, Mr. Satish Gupta, Deputy Government Advocate and Mr. Arvind Dubey, Panel Lawyer for the State/respondents.

ORDER

(Passed on 22nd Day of January, 2007)

Learned counsel appearing for the parties jointly submit that the facts and question of law involved in the present batch of writ petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1] .

(22)

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (*Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another*) (Supra).

3. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I./D.Ed. Certificates at their own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

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1 2006 (II) MPJR-CG 96

Gopal